Carrie Lee Aenk 4857 Springdale-Hunters Road Springdale, Washington 99173 FILED IN THE U.S. DISTRICT COURT EASTERN DISTRICT OF WASHINGTON

JAN 03 2005

JAMES R. LARSEN, CLERK
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SPOKANE, WASHINGTON

UNITED STATES DISTRICT COURT EASTERN DISTRICT OF WASHINGTON

CARRIE LEE AENK)
Movant,) Case Number: CR-96-100-RHW
vs)) MOTION FOR EARLY RELEASE FROM
UNITED STATES of AMERICA) SUPERVISED RELEASE

COMES NOW, Carrie Lee Aenk, Movant, pro se, before this Honorable Court and moves this Court to grant this MOTION FOR EARLY RELEASE FROM SUPERVISED RELEASE for the following reasons:

CASE HISTORY

Movant was found guilty of Bank Fraud on October 10, 1996 for a crime committed sometime in August, 1993., Movant spent her 33 month period of incarceration at FCI Dublin, California and at Turner House Community Corrections Center in Spokane, Washington., Movant began her five year term of Supervised Release on September 4, 1998.,

Movants Supervised Release was revoked approx. two years later due to allegations with no evidence to substantiate the allegations., Movant absconded from Supervised Release and was found guilty of absconding and attempting to obtain new identity using another's name and social security., (See Judgement in a Criminal Case for Revocation of Supervised Release).,

Movant spent her 21 month period of incarceration at Geiger Correctional Facility and Turner House Community Corrections, both in Spokane, Washington., Movant began her 39 month term of Supervised Release on February 8, 2003.,

REASONS FOR MOTION

- 1) Movant has in her possession a cassette taped conversation of Movant and a man named Eric Wright., Recorded on said cassette tape, Mr. Wright has made a confession as to setting Movant up for the 1993 original crime of Bank Fraud., (See Exhibit "A").,
- 2) Movant has in her possession a cassette taped conversation of Movant and her grandmother, Verna Weber, clearly signifying that Mr. Wright was bragging about setting Movant up and working with the FBI., (See Exhibit "B").,
- 3) Movant has four exams left in order to finish her training and receive her Diploma as a Veterinary Assistant and Movant wishes to seek employment working with animals.,
- 4) With her education, Movant is considering relocating to another State, yet would like to begin a new life and occupation without Supervised Release.,
- 5) Movant has considered petitioning the Court to re-open Movants cased based on newly discovered evidence yet even though Missouri is a one person consent tape recorded State,

 Movant is unsure if the taped conversation is admissible in Court under this Courts jurisdiction.,
- 6) In the Monica Lewinski case of the taped telephone conversation over State lines, during the President Clinton scandal:
 - a) Monica Lewinski lived in a one party consent State
 - b) The opposition lived in a two party consent State
 - c) The Court ruled that the tapes were admissible

Yet if Monica Lewinski would have lived in a two party consent State and the opposing party had lived in a one party consent State, the tapes would not have been admissible.,

- 7) Eric Wright lives in the State of Missouri which is a one party consent State.,
- 8) Eric Wright has made his confession of setting the Movant up for the original 1993

crime known throughout the Wright family (Movants relatives) and has verbally apologized, yet Mr. Wright's apology negates the fact that Movant spent prison time and Supervised Release time, which qualifies as "in custody" for a crime that Movant did not commit., <u>US v SPAN</u>, 75 F3d 1383 (1996-9th Cir), "Defendants who had received sentences of probation met "in custody" requirement for jurisdiction of court..."

THEREFORE based on the foregoing reasons, Movant respectfully urges this Honorable Court to grant this MOTION FOR EARLY RELEASE FROM SUPERVISED RELEASE.,

SO SIGNED this 3rd day of January, 2005, under the mandates of <u>HAINES vs KERNER</u>, 92 S.Ct. 595, "Allegations of pro se complaint are held to less stringent standards than attorneys.", and served upon parties of interest: AUSA Ronald Skibby, 920 Riverside, Spokane, Washington, 99210 and U.S. Probation Officer Richard Law, P.O. Box 306, Spokane, Washington, 99210-0306, and placed within the mail reciprocal at the U.S. Post Office in downtown Spokane, Washington.,

Respectfully Submitted,

CARRIE LEE AENK

AFFIDAVIT OF TELEPHONE CONVERSATION CONFESSION OF ERIC WRIGHT

On or about February 18, 2004, Eric Wright telephonically contacted Carrie Aenk at her home at about 10:30 p.m. PST and states the following:

Eric Wright (hereinafter known at Wright) clearly identifies himself at the beginning the conversation.,

Carrie Aenk (hereinafter known as Aenk)

Approx. 2 1/2 minutes of conversation concerning family matters.,

Wright: I've been there before ... so

Aenk: You've been where?

Wright: I've been...I've been in a safe-house before.

Aenk: Really.. How come?

Wright: With people after me, trying to kill me

Aenk: Really!

Wright: yeah. It's kind of a long story

Aenk: Did it have something to do with the guy that you shot just before you...you had me

arrested?

Wright: Yeah...yeah...so

Aenk: Oh! Wow!

Wright: Yeah...the FBI stuck us...shoot, we were gone for two months

Aenk: Really!

Wright: Yeah

Aenk: Us. You mean, you and Kathy?

Wright: Yeah, me and Kathy and her mom and uh, both my step-daughters and my

granddaughter...laugh

Aenk: Wow

Wright: yeah

Aenk: Did they take good care of ya?

Wright: Well, not really

Aenk: Was that when you made the deal with them to have me set up?

Wright: No.

Aenk: How did that come about anyway?

Wright: They...uh...when they called me...the guy...a guy from Tulsa called me...the FBI guy and

he said that, uh, people were after you and unless they caught you then you were going to be hurt.

So...I said well...I'm kinda ashamed of it now...laugh...

Aenk: So that was when you set me up?

Wright: yeah

Aenk: Okay. I guess I'm just not understanding...cause I was told that you told the family that I

hit a jailer over the head...

Wright: What?

Aenk: ...and almost killed him and escaped so I was on Americas Most Wanted.

Wright: Oh no!...laugh

Aenk: I don't remember which family member told me that.

Wright: Probably Aunt Vonnie, I'll bet...laugh

Aenk: But it was like...you know...uh...that's not the truth.

Wright: Sounds like something Aunt Vonnie would say

Aenk: Aunt Vonnie doesn't even know me

Wright: laugh...no...that's uh...no. I've never said anything like that...laugh...no...that's exactly what happened...I got a call from the FBI and said that you had conned somebody, like a mobster or something and they were out to get ya.

Aenk: What?

Wright: And uh, and if I helped 'em get you then you'd be safe

Aenk: So, you set me up and I got arrested and all that stuff

Wright: yeah. So you'd be safe...and I found out later they were lying to me

Aenk: Imagine that, huh.

Wright: yeah

Aenk: yeah well, we found out in court they were lying, too

Wright: yeah

Aenk: So...Can you remember the feds name at all?

Wright: Ohh....no, I sure can't.

Aenk: But you say he's from Tulsa?

Wright: yeah, he was from Tulsa

Aenk: Hmm, that is like so bizarre

There was about 15 seconds of small talk

Wright: That sounds like Aunt Sherry, she's wacko, paranoid, schizophrenic oh yeah...

Aenk: eeeew

About 60 seconds of small talk about family members

Aenk: Did dad have anything to do with me getting set up?

Wright: Dad?...No

Aenk: It was just you?

Wright: yeah, it was just me

Aenk: So, you were just acting solo?

Wright: I take the blame for all that. Yeah

Aenk: Wow! That's quite the burden to be carrying all these years

Wright: Yeah. Yeah. Dad didn't have anything to do with it. Dad didn't know anything about

it...so

Aenk: wow...cause I remember...

Wright: It was...they called me up. I mulled it around for awhile...I figure...uh...you hatin' my guts and bein' alive was a lot better than you bein' dead...so...but then I discovered that they were lying to me...so...

Aenk: And so I go set up for nothing, huh?

Wright: yeah

Aenk: Well, ya know, that was a long time ago...and...ya know Eric, I don't hate you...okay

Wright: Well, I'm sure happy to hear that

Aenk: Well, I...

Wright: I had it figured that you probably would...laugh

Aenk: I hate what you...

Wright: I wouldn't blame you either...so

Aenk: I hate what you did, but I don't hate you

Wright: yeah

Aenk: You know, but I'll tell you what, God has a reason and God has a plan and He definitely grew me up...and um...while I was down, I took the one and only classes and became a paralegal.

I was trained by the best

About three to five minutes about prison and life's going's on and the conversation ended

AFFIDAVIT OF TELEPHONE CONVERSATION VERNA WEBER

Carrie Aenk (hereinafter known as Carrie) telephonically called and spoke to Verna

Weber, (hereinafter known as Verna) Carrie Aenks maternal grandmother.,

First two - three minutes of information about a family member.

Carrie: I'm surprised Eric didn't call you

Verna: No, He didn't call me

Carrie: 'Cause Eric called me, ohhh, last night or four or five days ago-ish or something like that

and, um, I told him basically the same thing.

Verna: Oh you better be careful of him

Carrie: That's what I heard! Why do you say that?

Verna: Well, Eric, Eric, uh, actually had you arrested

Carrie: I know, I know that

Verna: Okay, I mean, he said he was working with the FBI and he's bragging about working with

the FBI so I would sure be careful

Carrie: yeah-I don't trust Eric. Eric knows I don't trust him. I told him I don't trust him.

Verna: Oh

Carrie: Ya know, and I told him, you know, the past is the past

Verna: Yeah

Carrie: I don't hate him. I don't hate him for what he did

Verna: mmhhm

Carrie: I hate what he did

Verna: Yeah

Carrie: But I don't hate him for it

Verna: Yeah

Carrie: I believe the man needs help

Verna: Yeah

Carrie: and

Verna: Well, I know Sherry was back there and she had her purse stolen and she couldn't get on a carrier because she didn't have an I.D...

Carrie: uh huh

Verna: ...and she called and wanted to us their (Eric and his wife) address. She couldn't get an

Carrie: uh huh

Verna: ...and they (Eric and his wife) wouldn't let her do it.

Carrie: What?

Verna: Yeah! So, I mean, just be careful of Eric.

Carrie: I appreciate that. I really do.

I.D. unless she had an address...

Verna: I mean, I, these are only things I know he was bragging about being with the IRS and that he helped, I mean FBI and so he's bragging about that and he sort of bragged that he had something to do with your case.

Carrie: Oh yes, he has something to do with my case alright. He's the one who set me up in the case, admittedly so.

Verna: uh huh

Carrie: Is that what he admitted to you?

Verna: Well, I can't, it's been so long ago really, I really can't remember exactly what was said

but he was very definitely bragging about being with the IRS...FBI...FBI, I'm saying it wrong.

You know I get 'em wrong.

Carrie: Um, I totally understand

About 30 seconds talk about information about a family member.